

**REMARKS**

**Correction**

The previous Reply, which was responsive to the Non-final Office Action dated 11/21/2005, read on page 2 in the INTRODUCTORY COMMENTS section thereof, "In the current Reply, no claims are canceled or amended. However, new claims 40-44 are added."

However, as correctly indicated in the AMENDMENT(S) TO THE CLAIMS section, a number of claims were in fact amended. Each amended claim was properly identified with the "(currently amended)" label and included the proper underlining and strikethrough textual effects, as appropriate.

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2 **Examiner Interview**  
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4 A telephonic Examiner Interview was conducted between Examiner Melvin  
5 H. Pollack and Applicant's representative (Keith W. Saunders, Reg. No. 41,462) on  
6 6 June 2006. Applicant's representative thanks Examiner Pollack for the courteous  
7 Interview.  
8

9 Examiner Pollack provided a "Substance of the Interview" on a continuation  
10 sheet of a PTOL-413 that was mailed on 06/13/2006. Applicant's representative  
11 concurs with the "Substance of the Interview" as set forth therein except for one  
12 sentence. The sentence that is traversed reads, "The [E]xaminer maintains that  
13 Briancon is analogous art, and that there is sufficient motivation to add Briancon's  
14 storage system to Morris".  
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16 In contrast, Applicant continues to maintain that Briancon is not analogous art  
17 and that there is not sufficient motivation to combine their respective teachings in  
18 any manner so as to reject the claims, even under their previous formulations. The  
19 arguments for this position are provided in previous Replies and incorporated herein  
20 by reference thereto.  
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2 **General Remarks**  
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4 This current Reply is responsive to a current and Final Office Action dated  
5 (mailed) 05/02/2006. Claims 1-44 were examined, and claims 1-44 were rejected.  
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7 In the current Reply, no claims are added. However, claims 8, 20, 36, and  
8 41 are canceled. Amended claims are indicated herein above.  
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10 Hence, claims 1-7, 9-19, 21-35, 37-40, and 42-44 are pending and  
11 presented for examination after entry of the current Reply.  
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13 The pending claims are amended above and addressed below in accordance  
14 with the results of the Examiner Interview.  
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2 **Specific Remarks**

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4 **Dependent Claim 5, which was indicated to have allowable subject matter**

5 The Office indicated that formerly dependent claim 5 would be allowable if  
6 rewritten in independent form including all of the limitations of the claims from  
7 which it depended. Claim 5 has been so rewritten in independent form, and claim 5  
8 should therefore now be allowable.

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10 **Tree Data Structure language from PTOL-413A**

11 Each of the remaining independent claims 1, 16, 28, 33, and 34 have been  
12 amended to include element(s) that are at least similar or analogous to the language  
13 from the PTOL-413A, which reads, "a tree data structure having multiple nodes such  
14 that a number of levels in the tree data structure between two nodes of the multiple  
15 nodes indicates a degree of separation between two devices that are represented by  
16 the two nodes".

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18 **Description from Page 8 of the Specification**

19 Each of independent claims 1, 16, 28, 33, and 34 have been amended to recite  
20 element(s) relating to the transferred information. Specifically, the transferred  
21 information has a nodal tree structure and is transferred automatically. In this  
22 context, "automatically" indicates that the user does not need to contemporaneously  
23 cause the information to be transferred to/from given devices. For example, general  
24 configuration settings (e.g., as described in the Written Description with particular  
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reference to FIG. 6) may be established by a user to permit/enable or to prevent the transmission and/or reception of information.

#### Requested Comments on Applied Art of Record

The PTOL-413 from Examiner Pollack requested that comments, explanations, and/or arguments be made of record with regard to certain cited art as contrasted with the tree data structure.

The tree data structure includes nodes that represent wireless devices. The top-most node may be a given device itself. Lower nodes represent those wireless devices that have been directly or indirectly in communication with the device. In an example implementation, when communicating with a particular device, the given device automatically sends its tree data structure to the particular device and receives a corresponding particular tree data structure therefrom. The received particular tree data structure is added to the given device's own tree data structure. The tree data structure allows for easier updating of device information.

This enables information regarding proximate wireless devices to be disseminated between and then among other wireless devices. As indicated above, a tree data structure has multiple nodes such that a number of levels in the tree data structure between two nodes of the multiple nodes indicates a degree of separation between two devices that are represented by the two nodes. This facilitates a determination of the likelihood that an individual device as represented by an individual node in the tree data structure is still in proximity.

1 In contrast, Briancon does not transfer tree data structures between and  
2 among wireless devices. Briancon attempts to determine the relevancy of a single  
3 piece of information by distilling a distribution chain into a single value, termed the  
4 "Range". The distribution chain is represented *diagrammatically* for purposes of  
5 explanation in Fig. 4 of Briancon.

6 Regarding the "range", Briancon reads at column 4, lines 35-46:

7 Range can be provided by the source by a forward estimate which tracks  
8 the number of conveying nodes and multiplies each node by a weighting factor  
9 determined from its type. FIG. 4 represents as network of nodes for which a forward  
10 estimate is to be determined. The estimate is generated based on the number of  
11 branches at each distribution tree or node along the route from source to user. Thus  
12 when, as shown, there is an initial number of branches N1, a second number of  
13 branches N2 and a final number of recipients NP, the Range value is

$$N1 \times N2 \times NP$$

14 Hence, Briancon does not teach the transfer of tree data structures between  
15 and among wireless devices. Consequently, Briancon also does not teach  
16 communicating a degree of separation between two devices that are represented by  
17 two nodes in a tree data structure  
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CONCLUSION

It is respectfully submitted that all pending claims 1-7, 9-19, 21-35, 37-40, and 42-44 are allowable. Applicants respectfully request reconsideration and allowance of the instant Application.

Furthermore, if any issues remain that preclude allowance and/or issuance of this Application, Examiner Pollack is requested to contact the undersigned representative of the Applicant before issuing another Office Action.

Respectfully submitted,

Dated: 7/3/2006

By: Keith W. Saunders

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